

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

MECHANICAL LICENSING COLLECTIVE,

Plaintiff,

v.

SPOTIFY USA INC.,

Defendant.

Case No. 1:24-cv-03809-AT-KHP

NOTICE OF MOTION

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law, the undersigned hereby moves this Court on behalf of Defendant Spotify USA Inc. before the Honorable Analisa Torres, United States District Judge for the United States District Court for the Southern District of New York, Daniel Patrick Moynihan United States Courthouse, 500 Pearl St., Courtroom 15D, New York, New York 10007-1312, for an order dismissing the Complaint in its entirety with prejudice for failure to allege facts sufficient to state a claim for relief pursuant to Fed. R. Civ. P. 12(b)(6).

PLEASE TAKE FURTHER NOTICE that pursuant to this Court's July 20, 2024 Order (ECF No. 22), opposition papers shall be filed by September 17, 2024, and the reply shall be filed by October 1, 2024.

Dated: August 27, 2024

Respectfully submitted,

LATHAM & WATKINS LLP

/s/ Allison L. Stillman

Allison L. Stillman
1271 Avenue of the Americas
New York, NY 10020
Telephone: (212) 906-1747
Facsimile: (212) 751-4864
Email: alli.stillman@lw.com

Sarang V. Damle
Michael E. Bern (*pro hac vice* pending)
555 Eleventh Street, NW, Suite 1000
Washington, D.C. 20004
Telephone: (212) 906-1659
Facsimile: (202) 637-2201
Email: sy.damle@lw.com
michael.bern@lw.com

Attorneys for Spotify USA Inc.